



General Assembly

January Session, 2003

**Amendment**

LCO No. 6299

\*SB0101606299SD0\*

Offered by:

SEN. CRISCO, 17<sup>th</sup> Dist.

To: Subst. Senate Bill No. 1016

File No. 216

Cal. No. 167

**"AN ACT CONCERNING OWNER-CONTROLLED INSURANCE  
PROGRAMS ON STATE AND MUNICIPAL CONSTRUCTION  
PROJECTS."**

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. Section 49-41 of the general statutes is repealed and the  
4 following is substituted in lieu thereof (*Effective from passage*):

5 (a) Each contract exceeding fifty thousand dollars in amount for the  
6 construction, alteration or repair of any public building or public work  
7 of the state or of any subdivision thereof shall include a provision that  
8 the person to perform the contract shall furnish to the state or the  
9 subdivision on or before the award date, a bond in the amount of the  
10 contract which shall be binding upon the award of the contract to that  
11 person, with a surety or sureties satisfactory to the officer awarding  
12 the contract, for the protection of persons supplying labor or materials  
13 in the prosecution of the work provided for in the contract for the use  
14 of each such person, provided no such bond shall be required to be

15 furnished (1) in relation to any general bid in which the total estimated  
16 cost of labor and materials under the contract with respect to which  
17 such general bid is submitted is less than fifty thousand dollars, (2) in  
18 relation to any sub-bid in which the total estimated cost of labor and  
19 materials under the contract with respect to which such sub-bid is  
20 submitted is less than fifty thousand dollars, or (3) in relation to any  
21 general bid or sub-bid submitted by a consultant, as defined in section  
22 4b-55. Any such bond furnished shall have as principal the name of the  
23 person awarded the contract.

24 (b) Nothing in this section or sections 49-41a to 49-43, inclusive,  
25 shall be construed to limit the authority of any contracting officer to  
26 require a performance bond or other security in addition to the bond  
27 referred to in subsection (a) of this section, except that no such officer  
28 shall require a performance bond in relation to any general bid in  
29 which the total estimated cost of labor and materials under the contract  
30 with respect to which such general bid is submitted is less than  
31 twenty-five thousand dollars or in relation to any sub-bid in which the  
32 total estimated cost of labor and materials under the contract with  
33 respect to which such sub-bid is submitted is less than fifty thousand  
34 dollars.

35 (c) No contract for the construction, alteration or repair of any  
36 public building or public work of the state or of any subdivision  
37 thereof that requires a person to supply the state or subdivision with a  
38 bond may include a provision that requires the person to obtain the  
39 bond from a specific surety, agent, broker or producer. No contracting  
40 officer may require that a bond be obtained from a specific surety,  
41 agent, broker or producer.

42 (d) No contract for the construction, alteration or repair of any  
43 public building or public work of the state or of any subdivision  
44 thereof may include a provision that allows or requires the state or any  
45 subdivision thereof to maintain an owner-controlled insurance  
46 program, except for a contract for (1) an individual project which is  
47 estimated to cost one hundred million dollars or more, or (2) a project

48 approved pursuant to section 10a-109e."

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| This act shall take effect as follows: |                     |
| Section 1                              | <i>from passage</i> |